

RELATIVE TO THE ESTABLISHMENT OF A
PERMANENT HOUSE INVESTIGATING COMMITTEE

①
WHEREAS, It is essential in a democratic form of government that faith and confidence must be inspired and established by government officials as a pre-requisite to the continuance of a democracy; and

WHEREAS, As a result of the Veterans Land Program scandal, the faith of the people of the State of Texas in the basic honesty and integrity of their state government is badly shaken; and

WHEREAS, The House Special Investigating Committee has been conducting an investigation of the Veterans Land Program and has conducted itself in such a manner as to reflect credit not only upon the individual members of the committee, but also upon the entire House of Representatives; and

WHEREAS, The findings of the House Investigating Committee point up the necessity of a thorough investigation of the General Land Office under the administration of the former Land Commissioner; and

WHEREAS, It becomes imperative for this House of Representatives, first, to restore confidence of the people of this great State of Texas in the basic honesty and integrity of their government, and secondly, to establish machinery to prevent the fraud, graft, and corruption from ever recurring in any state agency, board, commission, or any other department or institution of the Government of the State of Texas; now, therefore, be it

RESOLVED by the House of Representatives:

Section 1. That there is hereby created the Permanent House Investigating Committee, and that the Speaker of the House be, and he is hereby, authorized to appoint said Permanent House Investigating Committee of seven (7) members of the House, to sit at such times and places between this date and the date of

the beginning of the next Regular Session of the Legislature, as may to said Committee seem necessary and proper, and said Committee shall inquire into and investigate the administration of any state agency, board, commission, or any other departments or institutions of the Government of the State of Texas, and any other matters which would or might indicate irregularities in any state agency, board, commission, or any other departments or institutions of the Government of the State of Texas.

Sec. 2. That such Committee is directed specifically to continue the investigation of the Veterans Land Program and to report fully on such investigation to the next regular session of the Legislature.

Sec. 3. That such Committee and each subcommittee thereof is authorized to request and secure the aid of any member of the House in carrying out any investigation.

Sec. 4. That such Committee function under the direction of a chairman to be so elected by the members of said Committee. That said Committee and each subcommittee thereof shall have the power to formulate its own rules of procedure, and to provide for its own hours of meeting, recessing, and adjournment. The rules of evidence to be followed shall be the same as are followed in the courts of this State. The Committee and each subcommittee thereof shall hold only open sessions.

Sec. 5. That the majority of the membership of the Committee and each subcommittee thereof shall have the power to issue process for witnesses to any place in this State, and to compel their attendance, and for production of all books, records, and documents, and upon disobedience of any subpoena, the said Committee and each subcommittee thereof shall have the power to issue attachments which may be addressed to and served by either the sergeant-at-arms appointed by the said Committee, or by any peace officer of this State. Said Committee and each subcommittee thereof shall have the authority to cite for contempt anyone

disobeying said process, and to punish for such contempt in the same manner as provided by general law and Article 5429a of Vernon's Civil Statutes in the State of Texas. Said Committee and each subcommittee thereof shall have the power to inspect and make copies of any books, records, files, instruments, and documents of any department, institution, office, or court of this State, or any political subdivision thereof, or of any incorporated city, in so far as they may be pertinent to the matters under investigation, and shall also have the power to examine and audit the books, records, files, instruments, and documents of any officer of, or persons having dealings with, the state agency, board, commission, or any other department or institution of the Government of the State of Texas under investigation. The Committee and each subcommittee thereof shall have the power to administer oaths and affirmations, and fix and approve the bonds of attached witnesses. The Committee and each subcommittee thereof shall have the power to issue process for the taking of depositions and interrogatories, written or oral, and to act as a subcommittee for the purpose of taking testimony. The Committee and each subcommittee thereof shall further have all necessary powers in order to accomplish the purposes for which it is appointed.

Sec. 6. That the expenses of the members of said Committee incident to the work of such Committee shall be paid out of the appropriations for mileage and per diem and contingent fund of the Fifty-fourth Legislature, upon sworn account of persons entitled to such pay, when approved by the chairman of said Committee.

Sec. 6. That the witnesses attending under process shall be allowed the same mileage and per diem as is allowed witnesses before any grand jury in this State.

Sec. 7. That said Committee shall have the power and the authority to employ and compensate all necessary investigators, auditors, clerks, stenographers, and other necessary employees,

and to make and keep a record of its investigations.

Sec. 8. That said Committee may call upon the Attorney General, the State Auditor, the Department of Public Safety, and all other State Departments for assistance and advice. It shall be the duty of the Attorney General, upon request of at least four members of the subcommittee, to give counsel and assistance to the Committee or a subcommittee of the Committee.

Sec. 9. That each state agency, board, commission, or any other department or institution of the Government of the State of Texas, and all State employees are hereby specifically directed to, and required to, furnish said Committee any and every type of information required by said Committee.

Sec. 10. That each subcommittee shall report at times deemed proper by the Committee, and a report on each state agency, board, commission, or any other department or institution of the Government of the State of Texas, investigated shall be filed by the beginning of the next Regular Session of the Legislature, and all such reports shall be public.

Sec. 11. That the compensation and expenses herein provided for as incident to the work of such Committee shall be paid out of the Contingent Expense Fund of the House of Representatives of the Fifty-fourth Legislature, upon sworn account of persons entitled to such pay, when approved by the Chairman of said Committee, and sufficient money is hereby appropriated out of the mileage and per diem and contingent fund of said Fifty-fourth Legislature to meet the payment of such per diem and expenses of the members of said Committee, witnesses, fees, and other expenses incident to said investigations.

FORM B

(For favorable reports on bills where committee amendments other than "committee substitutes" are recommended; and for resolutions where committee amendments, including complete substitutes, are recommended.)

COMMITTEE ROOM

Date 6/6/55,

Hon. Jim Lindsey
Speaker of the House of Representatives.

Sir:

We, your Committee on State Affairs, to whom was referred HER No. 364, have had the same under consideration and beg to report back with recommendation that it do pass, as amended, ~~and be printed.~~

Glavin

Chairman.

(In the case of simple and concurrent resolutions the words "and be printed" should be stricken out since resolutions are printed in the Journal when they are first introduced.

The word "not" should be inserted before "printed" only in case of a local bill reported favorably with amendments and ordered not printed, which is customary for local bills.

WHEREAS, it is necessary and advisable that the House of Representatives of the State of Texas continue certain investigations authorized and initiated during the Regular Session of the 54th Legislature, and consider and make reports upon other matters which the Committee, herein provided, deems as of such importance to the House as to require such consideration and report; and

WHEREAS, the members of the House of Representatives desire to be fully and accurately informed as to the operations of the various governmental entities of the State of Texas, and its political subdivisions; and

WHEREAS, it is for the best interests of the people of the State of Texas that the House of Representatives create a Committee with the powers hereinafter set forth in order to make available to the 54th and 55th Legislatures full information on such matters as should rightfully be brought to the attention of the Texas Legislature: now, therefore, *be it*

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF TEXAS:

Section 1. That a General Investigating Committee of the House of Representatives be, and the same is hereby authorized and provided to consist of five (5) members to be appointed by the Speaker of the House of Representatives. The Speaker of the House of Representatives shall appoint the Chairman of said Committee, and the Committee shall elect from among its members a Vice-Chairman and a Secretary. Said Committee shall meet, organize, and promulgate the rules and procedure by which it shall function, including the times and places when and where it shall meet, between the date of adoption of this resolution and the date of the convening of the Regular Session of the 55th Legislature; and it shall have authority to continue or initiate any and all inquiries and hearings into matters pertaining to the State

DATE JUN 7 1955

READ AND ADOPTED

Dorothy Hallman
CHIEF CLERK
HOUSE OF REPRESENTATIVES

*as amended by vote of 121 ayes,
12 nays + 1 present
not voting*

Government and any agency or subdivision of Government within the State of Texas, the expenditure of public funds, and all other matters and things considered by said Committee to be for the welfare and protection of the citizens of the State of Texas. Any vacancy on said Committee shall be filled by appointment by the Speaker of the House of Representatives.

Section 8. The rules of procedure of the House of Representatives, the rules of evidence and procedure in civil and criminal cases, so far as considered applicable, and such other rules and regulations as may be adopted by the Committee, shall govern the hearings and affairs of the Committee.

Section 9. The Committee shall keep a record of its proceedings, and it shall have the power to hold such meetings as it may deem necessary. The Committee shall also have power to issue process to witnesses, at any place in this State, to compel their attendance, and the production of all books, records, and instruments; to issue attachments where necessary to obtain compliance with subpoenas or other process, which may be addressed to and served by either the Sergeant-at-Arms appointed by the said Committee, or by any peace officer of this State; and to cite for contempt, and cause to be prosecuted for contempt, anyone disobeying the subpoenas or other process lawfully issued by it in the same manner as provided by general law and Article 5429a of Vernon's Civil Statutes of the State of Texas. The Chairman of the Committee shall issue, in the name of the Committee, such subpoenas as a majority of the Committee may direct. The Committee is hereby authorized to request the assistance of the State Auditor's Department, the Department of Public Safety, the Attorney General's Department and all other State agencies and officers, and it shall be the duty of said departments, agencies, and officers to assist the Committee when requested to do so. The Committee shall have the power to inspect the records, documents and files of every State department, agency, and officer, and of all municipal, county, or other political subdivisions of the State, and to examine into their duties, responsibilities and activities.

Section 4. Witnesses attending proceedings of said Committee under process shall be allowed the same mileage and per diem as is allowed witnesses before any grand jury in this State.

Section 5. Three or more members of the Committee shall constitute a quorum for the transaction of business, and the Chairman or other presiding officer of the Committee shall have power to administer oaths and affirmations.

Section 6. The Committee shall have authority to employ and compensate assistants to assist in any investigation, to assist in any audits, and to assist in any legal matters where, for any reason, it is necessary to obtain such services in addition to the services of the State Auditor and the Attorney General's Department; and it may employ and compensate clerks, stenographers, and other employees in order to conduct its investigations and hearings and to make proper records thereof.

Section 7. The Committee shall make such reports to the Members of the 54th Legislature and to the 55th Legislature as it may deem necessary and appropriate.

Section 8. Members of the Committee shall be reimbursed for their actual and necessary expenses incurred while engaged in the work of the Committee and while traveling between their places of residence and the places where meetings of the Committee are held. Compensation of the Committee's employees, expenses incurred by members of the Committee, and all other expenses of the Committee, shall be paid out of the appropriation for mileage and per diem and contingent expenses of the 54th Legislature. All Payrolls and traveling expense vouchers shall be approved by the Chairman of the Committee and the Speaker of the House of Representatives before payment.

*adopted by Committee
6/6/55*

NSP 364

BY: Burton

Amend the committee substitute for House Simple Resolution No. ~~364~~ by adding a new section after Section 1, to be known as "Section 3", and re-numbering the remaining sections. "Section 3" to read as follows:

"Section 3. That such Committee is directed specifically to make a thorough investigation into all phases of the administration of the General Land Office under the former Land Commissioner, and particularly into the handling of the leasing of the tidelands; and said committee shall report its findings to the next regular session of the Legislature."

JUN 7 1955

DATE _____

READ AND ADOPTED

Dorothy Hallman
CHIEF CLERK
HOUSE OF REPRESENTATIVES

H. S. R. No. 364 By: Patten

HOUSE SIMPLE RESOLUTION

Relative to the establishment
of a Permanent House Investi-
gating Committee.

MAY 9 1955

*Referred to Com. on
State Affairs*

Dorothy Hallman

Chief Clerk, House of Representatives

JUN 6 1955 REPORTED FAVORABLY AS AMENDED

ENROLLED 6-7-55
Em. Clerk

DATE JUN 7 1955

READ AND ADOPTED, *as substituted*
Dorothy Hallman
CHIEF CLERK
HOUSE OF REPRESENTATIVES

Dorothy Hallman
Chief Clerk, House of Representatives

SENT TO SPEAKER

JUN 7 1955

MOTION TO RECONSIDER THE VOTE BY
WHICH H.S.R. # 364 WAS
ADOPTED/PASSED AND TO TABLE THE MOTION TO RECON-
SIDER PREVAILED/PASSED BY A Nine to One VOTE

AYES AND

NAYES

Dorothy Hallman
CHIEF CLERK HOUSE OF REPRESENTATIVES